

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES CARL KELLY,

Plaintiff,

v.

GAVIN NEWSOM, et al.,

Defendants.

1:25-cv-00111-EPG (PC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

Plaintiff, an inmate proceeding *pro se*, has filed a civil rights action pursuant to 42 U.S.C. § 1983.

This case was transferred from the Northern District of California, with United States District Judge Jon S. Tigar describing the basis for transfer as follows:

Plaintiff, an inmate previously housed at California Healthcare Facility (“CHF”) and currently housed at Kern Valley State Prison (“KVSP”), has filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against California Governor Gavin Newsom and the following CHF officials: warden Gina Jones, sergeant C. Tennis, and correctional officer Chinne. ECF No. 1. *The events or omissions giving rise to Plaintiff’s claim(s) occurred at California Healthcare Facility*, and Plaintiff seeks relief from CHF Prison employees or prison officials, and from Governor Newsom in his capacity as supervisor of KVSP, where Plaintiff is currently housed. *California Healthcare Facility is located in San Joaquin County, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Venue therefore properly lies in the Eastern District. See id. § 1391(b).* Accordingly, IT IS ORDERED that, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action be TRANSFERRED to the United States District Court for the Eastern District of California.

(ECF No. 9, p. 1) (emphasis added).

1 As noted above, the relevant events or omissions occurred at California Healthcare
2 Facility. This facility is located in Stockton, California, which is located in San Joaquin County.
3 Under Local Rule 120(d), allegations arising in San Joaquin County shall proceed in the
4 Sacramento Division of the United States District Court for the Eastern District of California.
5 Notably, Plaintiff filed a case against the same Defendants concerning allegations that took place
6 at California Healthcare Facility, which case was addressed in Case No. 2:24-cv-02462-KJM-JDP
7 in the Sacramento Division.

8 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
9 court may, on the court's own motion, be transferred to the proper court. Here, the Court
10 concludes that this case should proceed in the Sacramento Division.

11 Accordingly, IT IS ORDERED that:

12 1. This action is transferred to the United States District Court for the Eastern District of
13 California sitting in Sacramento; and

14 2. All future filings shall refer to the new Sacramento case number assigned and shall be
15 filed at:

16 United States District Court
17 Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

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19 IT IS SO ORDERED.

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21 Dated: January 28, 2025

22 /s/ Eric P. Gray
23 UNITED STATES MAGISTRATE JUDGE
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